

AMENDED IN ASSEMBLY JUNE 2, 2009

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AMENDED IN ASSEMBLY APRIL 30, 2009

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CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 650

Introduced by Assembly Member Hill

(Principal coauthor: Senator Yee)

February 25, 2009

An act relating to real property, *and* making an appropriation therefor; ~~and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 650, as amended, Hill. Real property: City of Half Moon Bay.

Existing law establishes the Regional Planning, Housing, and Infill Incentive Account within the Housing and Emergency Shelter Trust Fund of 2006 and allocates \$200,000,000 for the creation, development, or rehabilitation to encourage infill development. Existing law establishes the Habitat Conservation Fund for, among other things, the acquisition of habitat, including native oak woodlands, necessary to protect deer and mountain lions, and to protect rare, endangered, threatened, or fully protected species. Existing law establishes the State Coastal Conservancy Fund for the support of coastal conservation, and establishes the San Francisco Bay Area Conservancy Program Account within the State Coastal Conservancy Fund, for the purpose of depositing and disbursing funds, upon appropriation by the Legislature, for the

administration and implementation of the San Francisco Bay Area Conservancy Program.

This bill would require the state to loan \$10,000,000, \$2,500,000 from the Regional Planning, Housing, and Infill Incentive Account within the Housing and Emergency Shelter Trust Fund of 2006, \$2,500,000 from the Habitat Conservation Fund, \$2,500,000 from the State Coastal Conservancy Fund, and \$2,500,000 from the San Francisco Bay Area Conservancy Program Account within the State Coastal Conservancy Fund, to the City of Half Moon Bay to purchase certain property known as the Beachwood Property to assist the city relating to its settlement of a specified case, which would result in an appropriation.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The state shall loan ten million dollars
- 2 (\$10,000,000) to the City of Half Moon Bay to enable the city to
- 3 purchase certain property known as the Beachwood Property. The
- 4 loan shall carry no interest, shall be repayable, with repayment
- 5 beginning five years after the date that the act adding this section
- 6 becomes effective, in 20 installments of equal amounts over a
- 7 period of 20 years, and shall be paid out of the following accounts,
- 8 that are hereby appropriated in the following amounts:
- 9 (1) Two million five hundred thousand dollars (\$2,500,000)
- 10 from the Regional Planning, Housing, and Infill Incentive Account
- 11 within the Housing and Emergency Shelter Trust Fund of 2006,
- 12 pursuant to subparagraph (A) of paragraph (1) of subdivision (b)
- 13 of Section 53545 of the Health and Safety Code.
- 14 (2) Two million five hundred thousand dollars (\$2,500,000)
- 15 from the Habitat Conservation Fund.
- 16 (3) Two million five hundred thousand dollars (\$2,500,000)
- 17 from the San Francisco Bay Area Conservancy Program Account
- 18 within the State Coastal Conservancy Fund.
- 19 (4) Two million five hundred thousand dollars (\$2,500,000)
- 20 from the State Coastal Conservancy Fund.

1 (b) This loan specified in subdivision (a) is made to assist the
2 City of Half Moon Bay relating to its settlement agreement in the
3 case of Yamagiwa v. City of Half Moon Bay (N.D. Cal. 2007) 523
4 F. Supp.2d 1036, involving certain property known as the
5 Beachwood Property in the City of Half Moon Bay.

6 (c) Prior to the disbursement of any funds, the City of Half
7 Moon Bay shall obtain an independent appraisal of the Beachwood
8 Property that conforms to the Uniform Standards of Professional
9 Appraisal Practice.

10 ~~SEC. 2. This act is an urgency statute necessary for the~~
11 ~~immediate preservation of the public peace, health, or safety within~~
12 ~~the meaning of Article IV of the Constitution and shall go into~~
13 ~~immediate effect. The facts constituting the necessity are:~~

14 ~~In order to provide timely essential relief to the City of Half~~
15 ~~Moon Bay as a result of the settlement agreement in the case of~~
16 ~~Yamagiwa v. City of Half Moon Bay, it is necessary that this act~~
17 ~~take effect immediately.~~